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2010 MAY 14 PM 3:46
CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

February 2009 Grand Jury

1	UNITED STATES OF AMERICA,	)	Case No. <u>10CR0719-BEN</u>
2)	
3	Plaintiff,	)	<u>I N D I C T M E N T</u>
4		)	(Superseding)
5	v.)	
6		)	Title 18, U.S.C., Sec. 371 and
7	FRANCISCO FLORES-GONZALEZ (2),	)	Title 8, U.S.C.,
8		)	Secs. 1324(a)(2)(B)(ii),
9	Defendant.	)	(a)(2)(B)(iii), (a)(1)(A)(ii) -
10		)	Conspiracy to Bring in Illegal
11		)	Aliens for Financial Gain, Bring
12		)	in Illegal Aliens Without
13		)	Presentation, and Transport
14		)	Illegal Aliens; Title 8, U.S.C.,
15		)	Sec. 1324(a)(2)(B)(ii) - Bringing
16		)	in Illegal Aliens for Financial
17		)	Gain; Title 8, U.S.C.,
18		)	Sec. 1324(a)(2)(B)(iii) -
19		)	Bringing in Illegal Aliens Without
20		)	Presentation; Title 18, U.S.C.,
21		)	Sec. 2 - Aiding and Abetting;
22		)	Title 8, U.S.C.,
23)	Secs. 1324(a)(1)(A)(ii) and
24)	(v)(II) - Transportation of
25)	Illegal Aliens and Aiding and
26)	Abetting

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CPT:nlv(4):San Diego
5/14/10

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1 The grand jury charges:

2 Count 1

3 OBJECTS OF THE CONSPIRACY

4 1. Beginning on a date unknown to the grand jury and continuing
5 up to and including February 18, 2010, within the Southern District
6 of California, and elsewhere, defendant FRANCISCO FLORES-GONZALEZ
7 knowingly conspired and agreed with Cindia Mailani Mendoza, charged
8 elsewhere, and other persons known and unknown to the grand jury, to
9 commit offenses against the United States as set forth below:

10 a. to bring and attempt to bring A.A.N. (Juvenile), an
11 illegal alien to the United States, knowing and in
12 reckless disregard of the fact that said alien had not
13 received prior official authorization to come to,
14 enter, or reside in the United States, for the
15 purpose of obtaining private financial gain; in
16 violation of Title 8, United States Code,
17 Section 1324(a)(2)(B)(ii).

18 b. to bring and attempt to bring A.A.N. (Juvenile), an
19 illegal alien to the United States, knowing and in
20 reckless disregard of the fact that said alien had not
21 received prior official authorization to come to,
22 enter, or reside in the United States, and upon
23 arrival to not bring and present said alien
24 immediately to an appropriate immigration officer at
25 a designated port of entry; in violation of Title 8,
26 United States Code, Section 1324(a)(2)(B)(iii).

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1 c. to transport and move an alien, namely,
2 A.A.N. (Juvenile), within the United States, knowing
3 and in reckless disregard of the fact that said alien
4 had come to, entered and remained in the United States
5 in violation of law; in violation of Title 8, United
6 States Code, Section 1324(a)(1)(A)(ii).

7 **METHODS AND MEANS**

8 2. From on or about a date unknown, but no later than
9 February 1, 2010, to and including February 18, 2010, defendant
10 FRANCISCO FLORES-GONZALEZ agreed with family members of A.A.N. in the
11 United States and Mexico, to receive custody of A.A.N. from family
12 members in Mexicali, Mexico, smuggle A.A.N., an alien, into the United
13 States from Mexico for financial gain; bring A.A.N. through the
14 Calexico West Port of Entry without presentation of A.A.N. immediately
15 to an appropriate immigration officer; and, transport A.A.N. to
16 Victorville, California where family members of A.A.N. would pay her
17 smuggling fee to defendant FRANCISCO FLORES-GONZALEZ.

18 3. Defendant FRANCISCO FLORES-GONZALEZ agreed with Cindia
19 Mailani Mendoza, charged elsewhere, and others to provide A.A.N. with
20 fraudulent documents belonging to a U.S. citizen, transport her to the
21 U.S.-Mexico border in Mexicali, Mexico, direct her to enter the
22 Calexico West Port of Entry and gain entry into the United States by
23 claiming to be a U.S. citizen, take custody of A.A.N. in Calexico,
24 California without presenting her to an immigration officer, and
25 transport her to family members in the United States in exchange for
26 payment.

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OVERT ACTS

4. In furtherance of the conspiracy and to achieve the objects thereof, the defendant and his co-conspirators, known and unknown to the grand jury, committed and caused to be committed the following overt acts, among others, within the Southern District of California and elsewhere:

- a. Between February 1, 2010 and February 16, 2010, FLORES spoke with family members of A.A.N., located in Victorville, California and Michoacan, Mexico, and agreed to assist in smuggling A.A.N. into the United States from Mexico, and transporting her to Victorville, California in exchange for money.
- b. On or about February 17, 2010, FLORES met with Cindia Mailani Mendoza and a relative of Mendoza's, Co-conspirator 3 ("CC3"), in Mexicali, Mexico to discuss plans to smuggle A.A.N. into the United States, and reached the following agreement: A.A.N. would be brought to Mendoza in Mexicali, Mexico, sent into the United States by Mendoza, delivered by Mendoza to FLORES in Calexico, California, and transported by FLORES to A.A.N.'s family from whom FLORES would obtain payment for Mendoza.
- c. On or about February 17, 2010, FLORES and a relative of his, Co-conspirator 4 ("CC4"), picked up A.A.N. and others from the Mexicali, Mexico airport and transported them to the U.S.-Mexico border.

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- 1 d. On or about February 17, 2010, FLORES entered the
2 United States with the others, leaving A.A.N. and her
3 infant in Mexico with CC4.
- 4 e. On or about February 17, 2010, CC4 transported A.A.N.
5 and her infant to Mendoza's residence in Mexicali.
- 6 f. On or about February 17, 2010, Mendoza took custody of
7 A.A.N.'s infant to bring her into the United States
8 and deliver the infant to A.A.N.'s family in the
9 United States.
- 10 g. On or about February 18, 2010, Mendoza provided to
11 A.A.N. a birth certificate, California ID, and the
12 Calexico High School ID belonging to a person named
13 "Claudia Elizabeth Lopez," and instructed A.A.N. to
14 memorize the information on the documents, informing
15 A.A.N. that she would be brought to the U.S.-Mexico
16 border, cross with the fraudulent documents, and meet
17 Mendoza inside the United States.
- 18 h. On or about February 18, 2010, Mendoza met A.A.N. on
19 Rockwood Avenue in Calexico, California.
- 20 i. On or about February 18, 2010, Mendoza walked with
21 A.A.N., to meet with CC3 and another individual on 3rd
22 Street in Calexico, California.
- 23 j. On or about February 18, 2010, FLORES took custody of
24 A.A.N. from Mendoza and escorted A.A.N. to an
25 apartment complex at 724 3rd Street in Calexico,
26 California.

27 All in violation of Title 18, United States Code, Section 371.

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Count 2

On or about February 18, 2010, within the Southern District of California, defendant FRANCISCO FLORES-GONZALEZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, A.A.N., a juvenile, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien for the purpose of commercial advantage and private financial gain; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii), and Title 18, United States Code, Section 2.

Count 3

On or about February 18, 2010, within the Southern District of California, defendant FRANCISCO FLORES-GONZALEZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, A.A.N., a juvenile, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii), and Title 18, United States Code, Section 2.

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Count 4

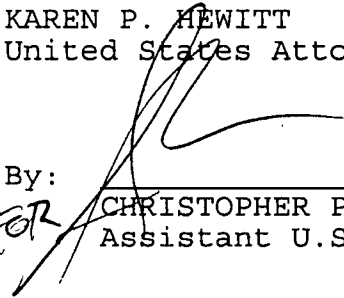
On or about February 18, 2010, within the Southern District of California, defendant FRANCISCO FLORES-GONZALEZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, A.A.N., a juvenile, had come to, entered and remained in the United States in violation of law, did transport and move said alien within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (v)(II).

DATED: May 14, 2010.

A TRUE BILL:


Foreperson

KAREN P. HEWITT
United States Attorney

By: 
CHRISTOPHER P. TENORIO
Assistant U.S. Attorney